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*Attorneys for Defendants  
Romeo Aranas, Isidro Baca, Shelly Conlin,  
Richard Long, David Mar,  
Melissa Mitchell and William Miller*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

CHARLES MORRIS,

Plaintiff,

vs.

ROMEO ARANAS, et al.

Defendants.

Case No. 3:18-cv-00310-RCJ-CLB

**JOINT PRE-TRIAL ORDER**

Following pretrial proceedings in this case,

IT IS ORDERED:

**I. NATURE OF ACTION AND CONTENTIONS OF THE PARTIES**

**A. NATURE OF ACTION**

Plaintiff Charles Morris (Morris) is an inmate in the custody of the Nevada Department of Corrections (NDOC) and currently incarcerated at Northern Nevada Correctional Center (NNCC). Morris is proceeding on two claims: an Eighth Amendment deliberate indifference to serious medical needs claim against Defendants Aranas, Long, Mitchell, and Mar, and an Eighth Amendment deliberate indifference to serious threats to inmate's safety claim against Defendants Baca, Miller, and Conlin. ECF No. 43.

On June 21, 2021, Defendants filed a Motion for Summary Judgment. (ECF No. 65). Plaintiff opposed (ECF No. 82) and filed a cross motion for summary judgment (ECF No. 83). Defendants

1 opposed Plaintiff's Motion for Summary Judgment. ECF No. 84. In an Order adopting and accepting  
 2 the Report and Recommendation of the U.S. Magistrate Judge, this Court denied Defendants' Motion  
 3 for Summary Judgment (ECF No. 65) and denied Plaintiff's Cross-Motion for Summary Judgment  
 4 (ECF No. 83).

5 Therefore, this matter is proceeding to trial

## 6 **B. CONTENTIONS OF THE PARTIES**

### 7 **1. Plaintiff's Contentions** *or should have known*

8 Morris alleges prison officials knew he had serious back problems and, repeatedly transferred  
 9 him to prisons with flat yards and delayed medical treatment by refusing to provide MRIs, then  
 10 delayed/denied surgery once an MRI confirmed the need for surgery. Instead of surgery, prison  
 11 officials issued Morris a walker and cane. Morris's delay in treatment led to <sup>him falling</sup> injuring himself on the  
 12 stairs, which led to the need for emergency surgery.

13 Morris alleges prison officials knew <sup>over</sup> for 15 years that he was classified to a lower tier, lower  
 14 bunk restriction, but in 20<sup>17</sup>18, prison officials ordered Morris to a top tier and refused to move him to a  
 15 lower tier until he fell down the stairs and partially paralyzed himself.

### 16 **2. Defendants' Contentions**

17 Defendants contend that the evidence does not support Plaintiff's allegations. Defendants  
 18 incorporate any Affirmative Defenses from the Answer as it pertains to the Defendants. Defendants  
 19 deny that Plaintiff's constitutional rights have been violated.

## 20 **C. RELIEF SOUGHT**

21 Plaintiff seeks declaratory, compensatory, and punitive damages. *injunctive relief,*  
 22 *Court cost, out of pocket expense, attorney fees, mental and emotional damages*

## 23 **II. STATEMENT OF JURISDICTION**

24 This is a civil action commenced under 42 U.S.C. § 1983. This Court has jurisdiction pursuant  
 25 to 28 U.S.C. § 1331.

## 26 **III. UNCONTESTED FACTS ADMITTED BY THE PARTIES WHICH REQUIRE NO PROOF**

27 1. Mr. Morris, in this matter has filed a Complaint alleging violations of his constitutional  
 28 rights under the Eighth Amendment. (ECF No.6).

2. At all times relevant in the Complaint, Plaintiff was in the lawful custody of the Nevada Department of Corrections ("NDOC") housed at Northern Nevada Correctional Center (NNCC) (ECF No. 6 at 1).

3. Defendant Romeo Aranas was previously employed by the NDOC as a Medical Director.

4. Defendant David Mar was previously employed by the NDOC as a Senior Physician.

5. Defendant Melissa Mitchell is currently employed by the NDOC as a Correctional Nurse, III.

6. Defendant Richard Long is currently a contract Physician with the NDOC.

7. Defendant Isidro Baca was previously employed by the NDOC as a Warden.

8. Defendant Shelly Conlin is currently employed by the NDOC as a Correctional Caseworker, III.

9. Defendant William Miller is currently employed by the NDOC as a Correctional Lieutenant.

10. Plaintiff suffered from back pain.

11. Plaintiff was given a lower bunk, lower level designation.

12. Plaintiff received medical consultations and evaluations.

13. Plaintiff received MRI and other evaluations.

14. Plaintiff was moved to a different cell due to contraband being found in his cell.

15. Plaintiff fell down the stairs.

16. Plaintiff had surgery, on an emergency basis after the fall.

17. Plaintiff kited for medical attention throughout the time frame of this matter.

18. Plaintiff filed grievances relating to his treatment.

#### **IV. FACTS UNADMITTED THAT WILL NOT BE CONTESTED**

The following facts, though not admitted, will not be contested at trial by evidence to the contrary: NONE

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**V. CONTESTED ISSUES OF FACT TO BE TRIED AND DETERMINED UPON TRIAL**

**A. PLAINTIFF'S CONTESTED FACTS**

*See Complaint.*

**B. DEFENDANTS' CONTESTED FACTS**

1. Whether Plaintiff has met his burden of producing evidence supporting the facts set forth above, i.e., whether he can prove that the individual defendants violated his Eighth Amendment rights?

2. Whether any form of damages are available to Plaintiff for any alleged failures?

**VI. CONTESTED ISSUES OF LAW TO BE TRIED AND DETERMINED UPON TRIAL**

**A. PLAINTIFF**

1. Whether or not the claims against Defendants, violated Plaintiff's Constitutional rights, and do the facts warrant a damage award?

**B. DEFENDANTS**

1. Did Defendants individually violate Plaintiff's constitutional rights?

2. Did Mr. Morris prove the elements of a violation of his Eighth Amendment rights? Prison officials have a duty to provide medical care for inmates, and the denial of medical care may result in pain and suffering constituting cruel and unusual punishment in violation of the Eighth Amendment of the Constitution. *Estelle v. Gamble*, 429 U.S. 97, 103 (1976). Prison officials can be deliberately indifferent to serious medical needs by "intentionally denying or delaying access to medical care or intentionally interfering with the treatment once prescribed." *Id.* at 104-05. To establish a constitutional violation, an inmate must satisfy a two-part test: (1) that he has a "serious medical need," the "failure of which to treat "could result in further significant injury or the unnecessary and wanton infliction of pain"; and (2) that the "defendant's response to the need was deliberately indifferent." *Jett v. Penner*, 439 F.3d 1091, 1096 (9th Cir. 2006) (internal quotation omitted). To determine whether the defendants' response was deliberately indifferent, an inmate must show the following: (1) the defendants purposefully acted or failed to respond to the inmate's possible medical need; and (2) the indifference caused harm." *Id.* Notably, defendants' conduct must

1 demonstrate “unnecessary and wanton infliction of pain” before it violates the Eighth Amendment.  
2 *Estelle*, 429 U.S. at 104-05.

3 “Deliberate indifference is a high legal standard.” *Toguchi v. Chung*, 391 F.3d 1051, 1060 (9th  
4 Cir. 2004). Every claim by an inmate that he has not received adequate medical treatment does not  
5 constitute an Eighth Amendment violation. *Estelle*, 429 U.S. at 105. An inmate alleging deliberate  
6 indifference to serious medical need “must allege acts or omissions sufficiently harmful” to the  
7 inmate. *Id.* at 106. For example, a medical professional’s mistake, negligence, or malpractice is not  
8 sufficient to constitute deliberate indifference. *Toguchi*, 391 F.3d at 1060. A medical decision not to  
9 order certain testing may qualify as medical malpractice, but it does not rise to the level of deliberate  
10 indifference to a serious medical need. *Estelle*, 429 U.S. at 107-108. A difference of medical opinion  
11 regarding course of treatment is insufficient to establish a claim of deliberate indifference to a serious  
12 medical condition. *Toguchi*, 391 F.3d at 1058.

13 The “treatment a prisoner receives in prison and the conditions under which he is confined are  
14 subject to scrutiny under the Eighth Amendment.” *Helling v. McKinney*, 509 U.S. 25, 31 (1993).  
15 Conditions of confinement may, consistent with the Constitution, be restrictive and harsh. *Rhodes v.*  
16 *Chapman*, 452 U.S. 337, 347 (1981). However, “[p]rison officials have a duty to ensure that prisoners  
17 are provided adequate shelter, food, clothing, sanitation, medical care, and personal safety.” *Johnson*  
18 *v. Lewis*, 217 F.3d 726, 731 (9<sup>th</sup> Cir. 2000).

19 To challenge the conditions of confinement under the Eighth Amendment, a plaintiff must  
20 meet both an objective test and subjective test. *Id.* The objective prong requires a showing that the  
21 deprivation was sufficiently serious to form the basis for an Eighth Amendment violation. *Johnson* at  
22 731. When determining whether the conditions of confinement meet the objective prong, the court  
23 must analyze each condition to determine whether that specific condition violates the Eighth  
24 Amendment. *Toussaint v. McCarthy*, 801 F.2d 1080, 1107 (9<sup>th</sup> Cir. 1986). When considering the  
25 conditions of confinement, a court also should consider the amount of time to which the prisoner was  
26 subjected to the condition. *Hearns v. Terhune*, 413 F.3d 1036, 1042 (9<sup>th</sup> Cir. 2005). Speculative and  
27 generalized fears of harm do not rise to a sufficiently substantial risk of serious harm. *Williams v.*  
28 *Wood*, 223 Fed. Appx. 670, 671, 2007 WL 654223, at 1 (9<sup>th</sup> Cir. 2007).



As to the second prong of the Eighth Amendment analysis, prisoners must establish prison officials “deliberate indifference” to the unconstitutional conditions of confinement to establish an Eighth Amendment violation. *Farmer v. Brennan*, 511 U.S. 825, 834 (1994). To demonstrate that a prison official was deliberately indifferent to a serious threat to the inmate’s safety, the prisoner must show that “the official [knew] <sup>or should have known</sup> of and disregard[ed] an excessive risk to inmate . . . safety; the official must both be aware of facts from which the inference could be drawn that a substantial risk of serious harm exists, and [the official] must also draw the inference,” (*Id.* at 837). Mere negligence is insufficient to show a violation of the Eighth Amendment. (*Id.* at 835-36).

## VII. EXHIBITS

### A. STIPULATED EXHIBITS AS TO AUTHENTICITY AND ADMISSIBILITY

1. Administrative Regulation 740.

### B. STIPULATED EXHIBITS AS TO AUTHENTICITY BUT NOT ADMISSIBILITY

None.

### C. PLAINTIFF’S EXHIBITS SUBJECT TO OBJECTIONS

See attachment's:

### D. DEFENDANT’S EXHIBITS SUBJECT TO OBJECTIONS

1. Plaintiff’s Movement History Report;
2. Plaintiff’s Housing History Report;
3. Plaintiff’s Grievance file, including all relevant grievances; ob, to vague

4. Certified Judgment(s) of Conviction of Plaintiff for underlying offense (only if needed for impeachment); *ob, not relevant*

5. Plaintiff's Institutional File ("I-File"); *ob, not relevant*

6. Grievance 2006-30-26975.

7. Grievance 2006-30-63488

8. Plaintiff's Medical Records and Consultation Reports.

9. NOTIS Disciplinary History Report. *ob, not relevant*

10. IR-2018-NNCC-000300.

11. IR-2018-NNCC-002639.

12. OIC 433158 reports.

13. AR 707, "Inmate Disciplinary Process," effective May 16, 2017.

14. AR 707.1, "Inmate Disciplinary Manual," effective February 22, 2017.

15. AR 707.2, "Chart of Disciplinary Sanctions," effective February 13, 2017.

16. Plaintiff's Case Notes as maintained on the NDOC NOTIS system from 2014 to Present.

17. All prison logs, registers, documents, or other form of data pertaining to any and all of Plaintiff's claims. *ob not relevant*

18. Any and all other exhibits that may support the statements of fact and law cited herein and to rebut Plaintiff's statements, claims, and testimony. *ob vague*

19. Any and all other exhibits that rebut witnesses that might be called to respond to claims made by either Plaintiff or any of his proposed witnesses; *ob*

#### E. DEPOSITIONS

1. None.

### VIII. WITNESSES

#### A. PLAINTIFF'S WITNESSES:

Plaintiff wishes to reserve the right to call the following persons:

**B. DEFENDANT'S WITNESSES:**

Defendant wishes to reserve the right to call the following persons:

1. Plaintiff Charles Morris, Inmate, NNCC;
2. Isidro Baca, Defendant, c/o Douglas R. Rands, Office of Attorney General, 100 N. Carson St. Carson City, Nevada 89701-4717.
3. Romeo Aranas, Defendant, c/o Douglas R. Rands, Office of Attorney General, 100 N. Carson St. Carson City, Nevada 89701-4717.
4. David Mar, Defendant, c/o Douglas R. Rands, Office of Attorney General, 100 N. Carson St. Carson City, Nevada 89701-4717.
5. Warden Nethanjah Brietenbach, c/o Douglas R. Rands, Office of Attorney General, 100 N. Carson St. Carson City, Nevada 89701-4717.
6. Harold Wickham, Former Deputy Director, c/o Douglas R. Rands, Office of the Attorney General, 100 N. Carson Street, Carson City, NV 89701-4717, (775) 684-1100.
7. Melissa Mitchell, Defendant, c/o Douglas R. Rands, Office of Attorney General, 100 N. Carson St. Carson City, Nevada 89701-4717.
8. Richard Long, Defendant, c/o Douglas R. Rands, Office of Attorney General, 100 N. Carson St. Carson City, Nevada 89701-4717.
9. Shelly Conlin, Defendant, c/o Douglas R. Rands, Office of Attorney General, 100 N. Carson St. Carson City, Nevada 89701-4717.
10. William Miller, Defendant, c/o Douglas R. Rands, Office of Attorney General, 100 N. Carson St. Carson City, Nevada 89701-4717.
11. NDOC Medical Director, c/o Douglas R. Rands, Office of Attorney General, 100 N. Carson St. Carson City, Nevada 89701-4717.



12. Custodian(s) of Record for any exhibits identified above, c/o Douglas R. Rands, Office of the Attorney General, 100 N. Carson Street, Carson City, NV 89701-4717, and (775) 684-1100.

13 Any and all rebuttal witnesses that might be called to respond to claims made by either Plaintiff or any of his witnesses.

14. Any and all other witnesses that have personal knowledge supporting Defendant's statements of fact or law cited herein. *ob, who?*

15. All witnesses identified by Plaintiff, whether or not called to testify at trial.

Plaintiff and Defendant reserve the right to interpose objections to the calling of any named witness listed above prior to or at trial.

**IX. AVAILABLE TRIAL DATES**

Plaintiff and Defendant's Counsel expressly understand that the Clerk shall set the trial of this matter at the convenience of the Court's calendar. A jury has been requested.

The following are three weeks in which both parties are available:

\* September 11, 2023 *trial should be 5-7 days*

September 18, 2023

September 25, 2023

DATED this 26 day of January, 2023.

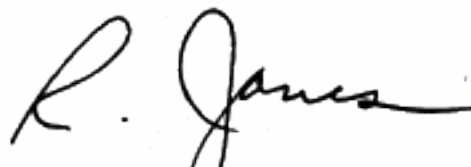
  
CHARLES MORRIS  
Plaintiff

AARON D. FORD  
Attorney General

By: /s/ Douglas R. Rands  
DOUGLAS R. RANDS, Bar No. 3572  
Senior Deputy Attorney General

*Attorneys for Defendants*

**IT IS ORDERED** that Jury Trial is scheduled for Monday, September 11, 2023, at 8:30 a.m. in Reno Courtroom 3 before Judge Robert C. Jones. Calendar Call is scheduled for Monday, August 14, 2023, at 10:00 a.m. in Reno Courtroom 3 before Judge Robert C. Jones.

  
ROBERT C. JONES, U.S. DISTRICT JUDGE

DATED: 2/1/2023

**CERTIFICATE OF SERVICE**

I certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on January 30, 2023, I electronically filed the foregoing, **[PROPOSED] JOINT PRE-TRIAL ORDER**, via this Court's electronic filing system. Parties that are registered with this Court's electronic filing system will be served electronically. For those parties not registered, service was made by depositing a copy for mailing in the United States Mail, first-class postage prepaid, at Carson City, Nevada, addressed to the following:

Charles Morris, #62773  
Northern Nevada Correctional Center  
P.O. Box 7000  
Carson City, Nevada 89702

/s/ Roberta W. Bibee

An employee of the  
Office of the Nevada Attorney General



### Uncontested Facts

1. Morris reported back problems to NDOC at intake in 1999.
2. On February 23<sup>rd</sup>, 2015, Morris had an x-rays of lumbar spine performed.
3. On March 18<sup>th</sup>, 2015, a request was made by an NDOC practitioner for Morris to have an MRI. An appointment was made for Morris to see Dr. Long.
4. On April 30, 2015, Morris was transferred from Lovelock Correctional Center (LCC) to NDOC.
5. On May 13, 2015, Morris was seen by Dr. Long who reported he could not make any determinations... and was unable to isolate any significant objective findings, only subjective complaints". Dr. Long was not sure about recommending an M.R.I."
6. On June 1<sup>st</sup>, 2015, Morris put in an emergency grievance complaining that nothing was done to address his issues just trips back and forth all while his condition was worsening.
7. On June 2<sup>nd</sup>, 2015, Morris was transferred from N.D.C.C. to L.C.C.
8. On June 9<sup>th</sup> 2015, Morris submitted a Kite requesting information about what Dr. Long had ordered following his examination. Morris was told that Dr. Long did not order anything and quoted his lack of findings.
9. On June 16, 2015, Morris was transferred from LCC to Southern Desert Correctional Center (SDCC)
10. On August 7, 2015, NDOC requested an orthopedic consult for Morris
11. Morris was seen by Dr. Wolff on November 20, 2015
12. On November 30, 2015, an MRI was requested. The utilization



review panel (URP) authorized the MRI on December 8, 2015

13. On February 16, 2016, an MRI of the lumbar spine was performed.
14. On February 26, 2016, SDCC requested an orthopedic follow up.
15. On March 18, 2016, Dr. Wolff recommended referral to spine for operative evaluation.
16. On March 18, 2016, Dr. Vicuna requested a spine surgeon for operative evaluation. URP authorized on March 29, 2016.
17. On May 12, 2016, Morris submitted Kite indicating it is his second request for a follow up pending the reading of his MRI. He was told please wait for appointment.
18. On May 20, 2016, Morris filed informal grievance #2006-30-26975. The informal was denied. Morris appealed to level one, which was denied. Morris appealed to level two which was denied. Dr. Aranas
19. On August 3, 2016, Morris submitted a medical Kite indicating his condition is worsening. He was told he would be seen in 3-4 weeks.
20. On August 12, 2016, Morris was seen by Michael Schneider, MD. ("Schneider") of the Kharkin Clinic, an outside medical provider. Schneider noted that Morris had tried the medication without remediation of symptoms and Morris had an MRI. Schneider's assessment was degenerative disc disease lumbar, pain lumbar and spondylolysis lumbar. Schneider ordered a "lumbar MRI w/o con-open" and a pain management consultation. Schneider also noted "further discussion regarding the surgical planning will be based on a review of hard copy of MRI with possible need to refer for open MRI." Schneider's plan was to treat him with facet



- and transforaminal injections at L4-L5.
21. On September 15, 2016, Morris was transferred from SDCC to MNCC.
  22. On October 7, 2016 Morris was issued a walker and a cane.
  23. Morris filed a medical kite on November 21, 2016
  24. On January 25, 2017, MNCC requested that Morris be seen by Dr. Long.
  25. On June 14, 2017, Morris was seen by Dr. Long for his "Severe lumbar spinal stenosis, with pain radiating down into lower extremities, and decreased sensation and marked weakness, particularly with ambulation." The recommendations stated that Morris may continue with walker and an epidural "may" give temporary relief and recommends a neurosurgical evaluation could be considered.
  26. On June 28, 2017, MNCC requested Morris be referred to Sierra Neurosurgery for eval/treatment
  27. On October 6, 2017, an officer found a cell phone and charger inside Morris's pillow. Morris was served with a notice of charges. Lt. Miller was the charging officer.
  28. On October 6, 2017 Morris was moved to MNCC-U7-B-57-A.
  29. On October 13, 2017, per Sierra Neurosurgery's request, MNCC requested an updated MRI lumbar prior to patient visit.
  30. On November 2, 2017, Morris sent a medical kite inquiring about the status of back surgery.
  31. On February 2, 2018, Morris fell down the stairs



in his housing unit. Morris was taken by ambulance to Carson Tahoe Hospital.

32. On February 2, 2018, Carson Tahoe Regional Medical Center performed two MRI's of the Spine lumbar.
33. Morris was transferred to Renown Hospital.
34. On February 3, 2018, Surgery was performed by Dr. Song for a "massive L4-L5 disc herniation with dense bilateral paraparesis."
35. On February 9, 2018, ANCC requested post-op follow up appointment.
36. On February 27, 2018, Morris was provided a walker.
37. On March 12, 2018, Morris filed a Grievance #2006-30-63488 relating to the injury he incurred from falling down the stairs and moving him to an upper tier. The informal was rejected due to failure to identify a remedy. Morris resubmitted. The informal was granted.
38. On March 21, 2018, Morris Kited about being in pain, and was seen on March 28, 2018.
39. On May 2, 2018, Morris had left knee radiographs showing "unremarkable" impressions.
40. On December 20, 2018, ANCC requested Consult post L4-L5 budge repair for pain continuing since operation.
41. On January 7, 2019, Morris had an x-ray taken of his spine.
42. On or about April 4, 2019 per Dr. Song's request, **MRI** and x-ray prior to Morris's next visit.
43. On April 8, 2019, Morris filed an emergency, complaining about severe pain and needing help.



- 44. On April 8, 2019, per Dr. Song's request, MNCC requested an MRI. URP authorized on April 17, 2019
- 45. On April 11, 2019, Morris had an X-ray taken of his lumbar spine
- 46. On May 28, 2019, Morris had an MRI taken.
- 47. On June 4, 2019, Morris was seen by a physician assistant at Advanced Neurosurgery. The assessment noted, Morris had chronic neurological defect in his left lower extremity including left foot drop as well as weakness, tingling and numbness and chronic pain" for this, he was recommended a consult to rehab without any additional surgical intervention or diagnostic testing at the time.

### Plaintiff Exhibits

- 1. 5-13-2015 Dr. Richard Long Report
- 2. AR Regulation
- 3. Video of Fall 2-18-2018
- 4. 8-12-2016 Khavkin Clinic Chart Notes and Progress Notes
- 5. Loveback Dr. orders 3-18-15
- 6. Grievance "emerg" 6-1-15
- 7. 6-14-2017 Dr. Richard Long report
- 8. 2-3-2018 Dr. Michael Song, MD Operative report
- 9. February 2018 Renown Post-Op instructive exercise
- 10. 2-23-2018 Advanced Neurosurgery Progress notes by Brian Davenport, NP
- 11. 4-4-2019 Advanced Neurosurgery Prescription for MRI



12. 6-4-2019 Advanced Neurosurgery Progress Notes Andrew Bader P.A.
14. Medical Consultation Requests dated from 3-18-2015 through 10-10-2019
15. Medical Lites dated from 1999 through 10-1-2019 only back related.
16. Transfer/Receiving Review sheets dated 9-15-2016, 6-16-2015, 6-2-2015, 4-30-2015.
17. Health Classification and Restrictions dated, 5-20-2015, 8-22-2016, 1-25-2017, 2-28-2018
18. Physicians Orders dated -11-24-2014 through 10-9-2019
19. Progress Notes dated 1-6-2015 through 10-10-2019
20. Radiology reports dated 5-28-2019, 4-11-2019, 1-7-2019, 5-2-2018, 2-2-2018, 2-16-2016, 2-23-2015
21. Unusual Occurrence report dated February 7, 2018
22. Receipt for Medical device dated 2-27-2018 re: Bariatric Walker
23. Receipt for medical device 10-7-2016, 8-10-2017, 2-27-2018 re: Walker and Cane
24. OP. 570.02 Bed move Coordinator; section 2- B Medical/ Psyc Classification/ Restrictions.  
(1) Lower bunk and lower tier restriction, etc.
25. Grievance "informal" # 2006-30-59252, Improper Grievance # 2006-30-57805
26. A.R., 659



Plaintiff's witnesses:

Yo Allison, Joseph; unit 7B floor officer  
Nomura, Kellen; Responding Nurse  
Colon, Elmo; unit 7B floor officer  
Yo HQ, 7B tower officer  
Yo Garcia, S. S&E officer; took me upstairs  
Dr. Richard Long  
Melissa Mitchell  
Shelly Conlin  
Isidro Braca  
Lt. William Miller  
Dr. David Mar.  
Myself  
Dr. Michael Schmeier  
Brian Davenport NP of Advanced Neurosurgery  
Dr. Michael Song, M.D. of Advanced Neurosurgery  
Andrew Brader P.A. of Advanced Neurosurgery  
Any and all rebuttal witnesses that might be  
called to respond to claims made either by  
either defendant's  
Dr. Romeo Aranas  
Dr. We / ncc  
Dr. Ted / mental  
Mr. B / health  
Roger / department